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**REISSUE APPLICATION: CONSENT OF ASSIGNEE;  
STATEMENT OF NON-ASSIGNMENT**Docket Number (Optional)  
153501-0375

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s) Capstone Turbine CorporationPatent Number 5,915,841Date Patent Issued June 29, 1999Title of Invention COMPLIANT FOIL FLUID FILM RADIAL BEARING

1. ☒ Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)
2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are Capstone Turbine Corporation, and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned)  
Capstone Turbine Corporation

Signature

Date

Typed or printed name and title of person signing for assignee (if assigned)  
Jeffrey Watts, Chief Financial Officer

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FORM PTO/SB/53 (02-01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue application of: )  
 )  
 U. S. Patent No: **5,915,841** )  
 )  
 Issued : **June 29, 1999** )  
 )  
 Inventor(s) : **Weissert, Dennis H.** )  
 )  
 For : **COMPLIANT FOIL FLUID FILM** )  
**RADIAL BEARING** )  
 \_\_\_\_\_ )

ASSENT OF ASSIGNEE  
AND CERTIFICATION UNDER 37 CFR 3.73(b)

Commissioner for Patents  
 Washington, D.C. 20231

Sir:

Capstone Turbine Corporation, assignee of the entire interest in the above-referenced letters patent, hereby assents to the accompanying application for reissue.

Capstone Turbine Corporation, ("assignee"), a corporation having a place of business at 21211 Nordhoff Street, Chatsworth, California 91311, certifies that to the best of assignee's knowledge and belief it is the assignee of the entire right, title, and interest in and to the above-referenced patent and represents that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

CAPSTONE TURBINE CORPORATION

Dated: \_\_\_\_\_

By: Jeffrey Watts  
 Its: Chief Financial Officer

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## REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)  
153501-0375

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 5,918,841, granted June 29, 1999, and for which a  
reissue patent is sought on the invention entitled COMPLIANT FOIL FLUID FILM RADIAL  
BEARING

the specification of which

☒ is attached hereto.☐ was filed on \_\_\_\_\_ as reissue application number \_\_\_\_\_ / \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(If applicable)I have reviewed and understand the contents of the above identified specification, including the claims,  
as amended by any amendment referred to above.I acknowledge the duty to disclose information which is material to patentability as defined in  
37 CFR 1.56.I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described  
below. (Check all boxes that apply.)☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.At least one error upon which reissue is based is described below. If the reissue is a broadening  
reissue, such must be stated with an explanation as to the nature of the broadening:The full breadth of available dependent claims was not  
captured in the patent as allowed.

[Page 1 of 2]

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
153501-0375

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Correspondence Address: Direct all communications about the application to:



Customer Number

29000

Type Customer Number here

Place Customer Number Bar  
Code Label hereFirm or  
Individual Name

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State

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Zip

90067

Country

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Telephone

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Fax

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Dennis H. Weissert

Inventor's signature

Date

Residence 10500 Sherman Grove, #102

Citizenship U.S.A.

Sunland California 91040

Mailing Address 10500 Sherman Grove, #102, Sunland, California 91040

Full name of second joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn Re U.S. **Reissue** Patent Application of:

Inventor(s) : Dennis H. Weissert

Serial No. : to be determined

Filing Date : Herewith

For : COMPLIANT FOIL FLUID  
FILM RADIAL BEARING

Original Patent No.: 5,915,841

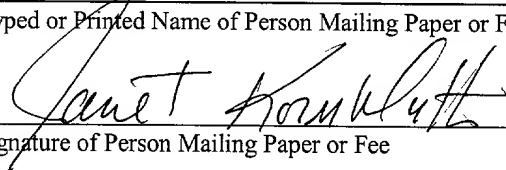
Original Issue Date: June 29, 1999

**CERTIFICATE OF EXPRESS MAILING**Date of Deposit: **June 29, 2001**

I hereby certify that this paper or fee is being deposited  
with the United States Postal Service as Express Mail  
(Express Mail No. **EL088714715US**) on the date  
indicated above and is addressed to Box REISSUE,  
Commissioner for Patents, Washington, D.C. 20231.

Janet Kornbluth

Typed or Printed Name of Person Mailing Paper or Fee

  
Signature of Person Mailing Paper or Fee

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97(b)(1) and (3)

Box REISSUE  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR §§ 1.97 and 1.98, this Information Disclosure Statement is submitted for the purpose of bringing to the attention of the Office the items listed in the accompanying Form PTO-1449. Copies of the listed items are provided for the convenience of the Examiner. The Examiner is requested to consider and make these items of information of official record in the Application.

The items identified in this Information Disclosure Statement (IDS) may or may not be "material" pursuant to 37 CFR §1.56 and the submission thereof by Applicants shall not be construed as an admission that any such patent, publication or other information referred to therein, or any combination thereof, is material or considered to be material (37 CFR §1.97(h)) or even

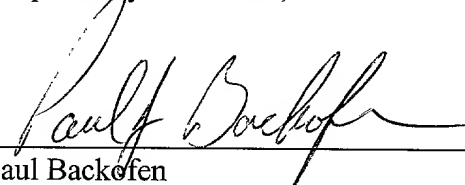
qualifies as "prior art" under 35 USC §102 or §103 with respect to this invention unless specifically designated by Applicant as such.

Furthermore, the submission of the above listed items is not to be construed as a representation that an exhaustive search, or any search, has been made, or that additional information material to the examination of this Application does not exist.

This IDS is believed to be timely in that it is being submitted under 37 CFR §1.97(b)(1) and (3), that is, within three months after the filing date and before the first Office Action on the merits. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard, then the Examiner is requested to consider this IDS as filed under §1.97(c) and is further authorized to charge any fee required by its filing to Deposit Account No. 09-0946.

Dated: June 29, 2001

Respectfully Submitted,



Paul Backofen

Registration No. 42,278

**IRELL & MANELLA LLP**

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Facsimile: (310) 203-7199

09091568 062901

<b>FORM PTO-1449</b>	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Docket No.: <b>153501-0375</b>	Application No.: ---
	<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Applicant: <b>Dennis H. Weissert</b>	
	(Use several sheets if necessary)		Filing Date: ---	Group: ---

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLAS S	FILING DATE IF APPROPRIATE
	3,366,427	01/30/68	A. Silver	308	122	
	3,382,014	05/07/68	D. Marley	308	9	
	3,615,121	10/26/71	M. A. Barnett	308	9	
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	3,747,997	07/24/73	L. W. Winn	308	9	
	3,795,427	03/05/74	L. Licht	308	9	
	3,809,443	05/07/74	J. L. Cherubim	308	9	
	3,957,317	05/18/76	A. Silver	308	9	
	4,118,079	10/03/78	P. Newman	308	9	
	4,133,585	01/09/79	L. Licht	308	9	
	4,153,315	05/08/79	A. Silver	308	9	
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	4,178,046	12/11/79	A. Silver	308	9	
	4,195,395	04/01/80	A. Silver	29	149.5S	
	4,208,076	06/17/80	S. Gray	308	9	
	4,213,657	07/22/80	S. Gray	308	9	
	4,223,958	09/23/80	S. Gray	308	9	
	4,229,054	10/21/80	W. H. Miller	308	9	
	4,247,155	01/27/81	W. E. Fortmann	308	9	
	4,262,975	04/21/81	H. Heshmat	308	9	
	4,295,689	10/20/81	L. Licht	308	9	
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	4,315,660	02/16/82	J. Glienicke	308	9	
	4,371,216	02/01/83	H. Suzuki	384	118	
	4,415,280	11/15/83	G. Agrawal	384	103	
	4,415,281	11/15/83	G. Agrawal	384	106	

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<p><b>*EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant</p>	

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				Docket No.: <b>153501-0375</b>		Application No.: -----	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Applicant: <b>Dennis H. Weissert</b>			
(Use several sheets if necessary)				Filing Date: -----		Group: -----	
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLAS S	FILING DATE IF APPROPRIATE	
	4,435,839	03/06/84	A. Gu	384	103		
	4,445,792	05/01/84	R. J. Trippett	384	103		
	4,451,163	05/29/84	J. Glaser	384	106		
	4,475,824	10/09/84	J. Glaser	384	306		
	4,502,795	03/05/85	R. M. Klaass	384	103		
	4,552,466	11/12/85	E. L. Warren	384	103		
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	4,616,388	10/14/86	J. Soum	29	149.5S		
	4,743,126	05/10/88	J. Soum	384	105		
	4,795,274	01/03/89	A. Gu	384	106		
	4,808,070	02/28/89	G. Fonda-Bonardi	415	110		
	4,818,123	04/04/89	A. Gu	384	106		
	4,896,975	01/30/90	F. A. Bescoby	384	114		
	4,950,089	08/21/90	A. M. Jones	384	103		
	4,961,122	10/02/90	K. Sakai	360	107		
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	5,248,205	09/28/93	A. Gu	384	106		
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	5,518,320	05/21/96	Z. Mohamed	384	103		
	5,519,274	5/21/96	J. K. Scharrer	310	90.5		
	5,584,582	12/17/96	W. R. Brown	384	106		
	5,634,723	06/03/97	G. Agrawal	384	106		
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>				
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(Use several sheets if necessary)				Filing Date: -----	Group: -----

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLAS S	FILING DATE IF APPROPRIATE
		5,658,079	08/19/97	R. M. Struziak	384	106	
		5,885,004	03/23/99	J. K. Scharrer	384	99	
		5,902,049	05/11/99	H. Heshmat	384	106	
		5,911,510	06/15/99	M. Saville	384	103	
		5,911,511	06/11/99	M. Saville	384	106	
		5,915,841	06/29/99	D. H. Weissert	384	104	
		6,024,491	02/15/00	M. Bak	384	106	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		"Foil Air/Gas Bearing Technology – An Overview," Giri Agrawal, <u>The American Society of Mechanical Engineers</u> , June 1997, pp. 1-11.
		"Foil Gas Bearings for Turbomachinery," Giri Agrawal, <u>The Engineering Society for Advancing Mobility Land Sear Air and Space</u> , SAE Technical Paper Series, July 1990

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